

# SHAFT SINKERS GROUP Rossal 126 (Pty) Ltd

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# SHAFT SINKERS



## To all known Creditors and Affected Parties

### Business Rescue Proceedings: Notices to creditors and affected parties in compliance with various provisions of Chapter 6 of the Companies Act.

1. These notices are addressed to all affected parties in compliance with the various provisions of Chapter 6 of the Companies Act, Act 71 of 2008 ("the Act").
2. On 10 March 2015 the board of directors of Rossal No 126 (Pty) Ltd ("the company") resolved to file for Business Rescue. A copy of the resolution as well as the affidavit setting out the reasons for the resolution are attached hereto. **(Resolution and affidavit)**
3. The resolution referred to above was filed with the Companies and Intellectual Property Commission ("CIPC") on 11 March 2015. A copy of the notice as filed with CIPC is attached hereto. **(COR 123.1)**.
4. CR Rey has now been appointed by the company and licensed by CIPC as a Business Rescue Practitioner ("BRP").
5. In addition please find attached the following documentation:
  - 5.1. a notice, as contemplated in Section 129 of the Act, informing you of the appointment of the Business Rescue Practitioner for the company **(COR 123.2)**;
  - 5.2. the certificate evidencing that the BRP has been licenced by CIPC **(BR Certificate)**;
  - 5.3. a notice convening the first meeting of creditors, in terms of Section 147 (1) of the Act **(Notice of 1<sup>st</sup> meeting)**;
  - 5.4. an agenda for the above-mentioned meeting in terms of Section 147 (2) (b) of the Act is also attached **(Agenda)**.
6. The Act is not prescriptive with regard to the submission of claim documents in support of a claim against the company, neither as to the format of such a claim, nor the time period for the submission of a claim.

Directors Marius Heyns ‡ (Chairman); Alexander Haller #; Robin Haller #

# British; ‡South African; †British

Version 22/01/2015

Shaft Sinking & Mining Contractors

Company Registration Number 1961/000660/07

Mining & Engineering Consultants





7. Section 147 states that a creditor **may** lodge a claim at the 1<sup>st</sup> meeting of creditors, clearly indicating that the submission is not mandatory and can as such be submitted to the BRP at any stage during the business rescue proceedings.
8. For those creditors who wish to lodge a claim either prior to or after the meeting we would propose the following:
  - 8.1. Any claim should at the very least be supported by an affidavit deposed to by an authorised individual;
  - 8.2. The claim document and its supporting documents can be sent electronically at any time for consideration;
  - 8.3. You are welcome to utilise your own format, but for your convenience we attach a concept claim document (**Claim form**);
  - 8.4. If creditors wish to submit their claim documents for purposes of the convened 1st meeting on 26 March 2015, please see to it that your claim document is sent to [businessrescuejhb@corprecover.co.za](mailto:businessrescuejhb@corprecover.co.za) at least 24 hours before the meeting to give the BRP sufficient time to consider such claims.

Yours faithfully

**CR REY**  
**BUSINESS RESCUE PRACTITIONER**